

MINUTES OF THE
NEBRASKA NATURAL RESOURCES COMMISSION MEETING
MARCH 15-16, 1995

Those in attendance were:

Don Roberts, Chairman	Dayle Williamson, Director
Wilbur Nelson, Member	Jim Cook, Staff
Clifford Welsh, Member	Terry Kubicek, Staff
Glen Kroese, Member	Jerry Wallin, Staff
Richard Mercer, Member	Tom Pesek, Staff
Richard Jiskra, Member	Gayle Starr, Staff
Robert Bell, Member	Tom Masa
Frank Bartak, Member	
Roy Stewart, Member	
Dale Watermeier, Member	
Joe Hergott, Member	
Bob Gifford, Member	
Wayne Davis, Member	
Mike Shaughnessy, Member	

CALL TO ORDER

The meeting was called to order by Chairman Roberts at 3:00 p.m. March 15 in the Lower Level, Room F, of the Nebraska State Office Building in Lincoln, Nebraska.

NOTICE OF THE MEETING

Notice of the meeting was placed in the LINCOLN JOURNAL & STAR on March 8, 1995, notifying the public of the meetings.

INFORMATIONAL MATERIAL

The following items of informational material were distributed during the course of the meeting and a copy of each is attached to the file copy of the minutes.

1. Comprehensive Planning Committee Minutes.
2. Minutes of the Executive Committee Meeting.
3. Minutes of the Program Committee Meeting.
4. NRCS Report to the NRC and NARD.
5. Weekly Legislative Summary for: March 13, 1995.
6. Tentative Agenda for August Tour.
7. Testimonies to the Appropriations Committee from Dayle Williamson & Bob Bell.

Jim Cook provided a detailed briefing of current Nebraska water issues, including the compact and legal issues regarding the Republican River Basin, the lawsuit between Nebraska and Wyoming on the North Platte River, the Federal Energy Regulatory Commission relicensing of the Kingsley Power

Plant, the Memorandum of Agreement between Nebraska, Colorado, Wyoming, and the federal government, and the Nebraska Game & Parks Commission Instream Flow application on the Platte River. Cook also responded to a number of questions concerning the above and related issues.

LEGISLATION

Jim Cook provided an update on pending state legislation relating to natural resources issues or that might affect either the Commission or NRDs. He specifically mentioned LBs 99, 145, 108, 229, 871, 247, 251, 553, and 640. He added that legislation is moving especially slow this year and that many of the bills will not be acted upon this year. He indicated that there is some indication that several of the natural resources bills might be combined into one bill such as LB 871 in order for the Legislature to have an opportunity to act on those issues. He also noted that Senator Beutler had indicated that it was his intention that LB 108 not be reported out of committee but that he hopes to reach a resolution on as many concerns about the bill as possible so that it can be reported out very early in the 1996 legislative session.

Chair Roberts recessed the meeting until 10:00 a.m., March 16, at approximately 4:45 p.m.

RECONVENING OF MEETING

Chair Don Roberts reconvened the Natural Resources Commission meeting at approximately 10:15 a.m. on March 16, 1995. Those in attendance at the reconvened session were:

Donald Roberts, Chair	Paul Rohrbaugh
Roy Stewart, Member	Fred Thomas
Richard Jiskra, Member	Ron Moreland
Wayne Davis, Member	Dayle Williamson, Director
Frank Bartak, Member	Terry Kubicek, Staff
Bob Gifford, Member	Tom Pesek, Staff
Wilbur Nelson, Member	Gayle Starr, Staff
Richard Mercer, Member	
Glen Kroese, Member	
Mike Shaughnessy, Member	
Dale Watermeier, Member	
Robert Bell, Member	
Clifford Welsh, Member	
Joe Hergott, Member	

MINUTES

Motion was made by Davis and seconded by Gifford to approve the minutes of the February 1, 1995 Commission meeting as distributed. Motion carried.

Aye: Kroese, Stewart, Bell, Hergott, Jiskra, Watermeier, Nelson, Mercer, Welsh, Gifford, Davis
Bartak, Shaughnessy, Roberts

Nay: None

Not Present: Larson, Kramper

EXPENDITURES

Motion was made by Bell and seconded by Gifford to approve the expenditure report for January and February, 1995, as distributed. Motion carried.

Aye: Stewart, Bell, Hergott, Jiskra, Watermeier, Nelson, Mercer, Welsh, Gifford, Davis, Bartak,
Shaughnessy, Kroese, Roberts

Nay: None

Not Present: Larson, Kramper

DIRECTOR'S REPORT

Dayle Williamson commented on a number of issues concerning pending federal legislation and the proposed requirements for Corps of Engineers flood control projects. He also noted that Jerry Vap had been elected as NACD President for a three year term and that he had been elected as President of the National Association of State Conservation Agencies for a one year term.

Williamson noted that the Groundwater Festival had been held at Grand Island last week and that even though it was a very cold day and a number of the children did not attend because of the snow and cold that the Festival had been a significant success.

ADVISOR'S COMMENTS

Ron Moreland, NRCS state conservationist, provided a detailed briefing on the regional reorganization of the agency and the potential budget impacts on the agency.

ENVIRONMENTAL TRUST

Richard Mercer noted that applications are now available for applicants to request 1995 funds. He added that Mary Harding, the Executive Director of the Trust, was holding a number of meetings across the state to assist potential applicants in preparing their applications.

ENVIROTHON

Dale Watermeier explained the National Envirothon for high school students that has been sponsored by NARD for the last several years. He distributed some brochures about the Envirothon and briefly explained that it was a competition among high school students on environmental issues. He noted that the 1996 national Envirothon competition will be held the last week in July at Mahoney State Park.

COMPREHENSIVE PLANNING COMMITTEE

Cliff Welsh noted that the Comprehensive Planning Committee had discussed a number of issues but was not recommending any Commission action. He added that the committee had been briefed by Mahendra Bansal concerning various Natural Resources Data Bank activities. He added that the U.S. Geological Survey pilot project for digital ortho-quarter quads (DOQQ) is being initiated. Welsh also indicated Jerry Wallin had briefed the committee on the Southeast Nebraska Stream Degradation Study, the Lower Loup NRD Area 28 Study, and the Bureau of Reclamation's initiatives pertaining to the Corps of Engineers/Bureau of Reclamation's assessment of the Republican River Watershed.

Welsh added that the committee had also discussed a number of issues concerning soil surveys including the various counties' perspectives on the use of soils information to update their county property assessment information.

EXECUTIVE COMMITTEE

Don Roberts explained that the committee had discussed the June Commission meeting to be held in Chadron and the tour that was being planned by the NRD for that area as well as the August Commission meeting and the tour of the Central Nebraska Public Power and Irrigation District facilities. Wilbur Nelson noted that Tim Anderson of Central had provided him a tentative agenda of that tour and copies had been provided to Commission members.

Roberts also noted that the committee had discussed the agency Appropriations Committee hearing and indicated that a copy of the Director's testimony and of Robert Bell's testimony on behalf of the Commission had been provided to Commission members. Roberts further explained that the committee had discussed a number of issues concerning computer use and electronic information transfer.

PROGRAM COMMITTEE

Roy Stewart reported that Tom Pesek had reviewed the Resources Development Fund Financial Status Report and the Quarterly Report with the committee.

He explained that the City of Scribner had requested an additional \$109,140 for some additional costs, including rock rip-rapping of the Scribner Levee Project. Motion was made by Stewart and seconded by Bartak to increase the project allocation for the Scribner Levee Project by \$58,753.81 from \$367,680.00 to \$426,433.81, release the \$24,146.35 in NRDF funds remaining after the audit of the Pebble Creek Levee to the City of Scribner and obligate the additional funds (\$58,753.81) effective immediately. Motion carried.

Aye: Bell, Hergott, Jiskra, Watermeier, Nelson, Mercer, Welsh, Gifford, Davis, Bartak, Shaughnessy, Kroese, Stewart, Roberts

Nay: None

Not Present: Kramper, Larson

Stewart noted that the Director's recommendation on the Howell's flood control project was being distributed to Commission members. He added that Commission members Kramper, Mercer and Bartak had toured the project with staff and local sponsors on Tuesday. He added that action on the project will be at the May meeting.

Stewart noted that Pesek had reviewed the Small Watersheds Flood Control Fund Status Report and the Inventory of Fee Title lands for the committee.

Stewart explained that Paul Rohrbaugh had reviewed a fee title appraisal involving 194.2 acres at Site 46 of the Middle Big Nemaha Watershed Project. Motion was made by Stewart and seconded by Davis to approve the amended appraisal on the Kenneth Schmidt property (194.2 acres) at Middle Big Nemaha Site 46 and commit \$94,672.50 for that fee title acquisition. Motion carried.

Aye: Hergott, Jiskra, Watermeier, Nelson, Mercer, Welsh, Gifford, Davis, Bartak, Shaughnessy, Kroese, Stewart, Bell, Roberts

Nay: None

Not Present: Kramper, Larson

Stewart explained that Tom Moser, Manager of the Lewis & Clark NRD, had reviewed their request for approval of three easement appraisals at Site 43-9A of the Aowa Creek Watershed. Motion was made by Stewart and seconded by Gifford to approve the appraisal on (1) the Raymond Finnegan property (36.7 acres) and commit \$21,703, including \$332.00 fencing allowance for that easement; (2) the Raymond Finnegan property (8 acres) and commit \$4,297.00 for that easement and (3) the G.J. Miiler et al. property (48.7 acres) and commit \$17,600, including a maximum of \$393 for fencing for easement, all at site 43-9A of the Aowa Creek Watershed. Motion carried.

Aye: Jiskra, Watermeier, Nelson, Mercer, Welsh, Gifford, Davis, Bartak, Shaughnessy, Kroese, Stewart, Bell, Hergott, Roberts

Nay: None

Not Present: Kramper, Larson

Stewart explained that Josh Lear and Gayle Starr had reviewed some potential changes in the Erosion and Sediment Control program and noted that the Commission needed to make some changes in the state program in the near future.

Stewart explained that the committee had reviewed the request of the Nemaha NRD for survey assistance on two structures in their NRD. Motion was made by Stewart and seconded by Jiskra to approve the request of the Nemaha NRD for survey assistance. Motion carried.

Aye: Watermeier, Nelson, Mercer, Welsh, Gifford, Davis, Bartak, Shaughnessy, Kroese, Stewart, Bell, Hergott, Jiskra, Roberts

Nay: None

Not Present: Kramper, Larson

NEXT MEETING

The next meeting of the Commission will be May 10 & 11 in Lincoln.

ADJOURNMENT

The meeting was adjourned at approximately 11:35 a.m.

Chairman

Director